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## COUNCIL OF STATES

The following Bills were introduced in the Council of States on the 10th April, 1953:—

BILL No. III OF 1953

*A Bill further to amend the Constitution of India.*

BE it enacted by Parliament as follows:—

**1. Short title, extent and commencement.**—(1) This Act may be called the Constitution (Third Amendment) Act, 1953.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

**2. Amendment of Article 31.**—For Article 31 of the Constitution, the following Article shall be substituted, namely:—

“31. (1) Property shall be guaranteed by Constitution. Its nature and limits shall be provided by law.

(2) Expropriation shall take place only for the general good and only on the basis of law.

(3) It will be determined by law in which cases, to what extent and in what manner the owner shall be compensated.

(4) Under the same conditions, individual branches of national economy or single enterprises may be nationalised by law if the common interest requires it.”

## STATEMENT OF OBJECTS AND REASONS

Article 31 of the Constitution of India in its present form stands in the way of planned reconstruction of India's economy and should, therefore, be suitably amended. The Bill seeks to provide for the same in a very simple manner.

SATYAPRIYA BANERJEE.

*The 6th March, 1953.*

## BILL No. IV of 1953

*A Bill to provide for the prevention of cruelty to animals.*

WHEREAS it is essential to implement the principles of *Ahimsa* in accordance with the traditional teachings of India which forbid the infliction of cruelty on animals;

AND WHEREAS it is necessary to codify and amend the laws relating to this topic;

It is hereby enacted as follows:—

**1. Short title and extent.**—(1) This Act shall be called the Prevention of Cruelty to Animals Act, 1953.

(2) It shall extend to the whole of the territory of the Union of India, provided the State Governments may, for sufficient cause and with the previous sanction of the President of the Indian Union, suspend sections of this Act for a period of not more than two years.

**2. Definition.**—In this Act, the word “animals” shall mean any living being other than man. The word “animals” shall not however include insects, germs, bacteria and other creatures recognised as carriers of disease.

**3. Prohibition of killing of animals in the name of religion.**—No animal shall be killed in the name or for the purpose of religion.

**4. Prohibition of killing or maiming of animals by way of sport.**—(1) No animal shall be killed or maimed or subjected to any injury by way of sport.

(2) Offences under sections 3 and 4 shall be punished with fine which may extend to Rs. 200 or with imprisonment for a term of six months or with both.

**5. Extermination of dogs.**—No dog shall be exterminated except through electrocution or other humane methods approved by the local authorities exercising jurisdiction within the area concerned and subject to such rules and regulations as may be passed by the Central or State Governments.

**6. Caging or confining of animals.**—(1) No animal shall be caged or confined for personal pleasure, or for study except under the direct and immediate supervision of a recognised institution for the study of animal habits.

(2) Offences under this section shall be punished with fine which may extend to Rs. 100.

**7. Exhibition of performing animals.**—(1) No performing animal shall be exhibited in circuses or other shows of a public nature for entertainment or profit.

(2) Offences under this section shall be punished with imprisonment which may extend to one month or with fine which may amount to Rs. 200, and the profits derived through the exhibition or show shall be confiscated to the Government.

**8. Caging and confinement of animals in a zoo.**—(1) No animal shall be caged or confined in a zoo or other public institution or place except in conformity with bye-laws passed under this section providing for the welfare and comfort of the animals concerned.

(2) Offences under this section shall be punished with a fine which may amount to Rs. 500.

**9. Killing of animals in slaughter houses.**—(1) No animal shall be killed for food or other economic purposes in a slaughter house except according to humane and up-to-date methods calculated to diminish pain and suffering according to bye-laws passed under this section.

(2) Offences under this section shall be punished with imprisonment which may range up to one month or with fine which may range up to Rs. 500 or with both.

**10. Department of Animal Welfare.**—Every State Government shall have a Department of Animal Welfare of its own for the purposes of implementing the objects of this Act and preventing cruelty to animals as contemplated in the Prevention of Cruelty to Animals Act, 1890 (Act XI of 1890) which shall be read as part and parcel of this Act.

**11. Prohibition of export, import or maintenance of animals for experimentation.**—No animal shall be exported, imported or maintained for purposes of experimentation.

**12. Portfolio for Animal Welfare.**—A portfolio for Animal Welfare shall be constituted in the Cabinet of the Central Government for the purpose of implementing the objects of this Act.

**13. Punishment for contravention of the provisions of the Act.**—If any person contravenes or abets the contravention of any offence under this Act, he shall be punished with fine which may extend to Rs. 100.

**14. Exemption of public servants for acts done in the course of their duty.**—No suit or proceeding shall lie against any person who is deemed to be a public servant for the purposes of enforcing the provisions of this Act for any act done in good faith under the Act.

STATEMENT OF OBJECTS AND REASONS

Many civilised Governments have considered it their duty to prevent cruelty to animals and to enact regulations in relation to their humane treatment during life and to humane methods of slaughter. Although in India certain laws have been passed dealing with the subject of cruelty to animals, they are neither comprehensive nor in consonance with the essential doctrine of *Ahimsa* or non-injury which has characterised the thought and usage of this country from the time of Buddha and Ashoka down to the days of Mahatma Gandhi. The Bill seeks to make provision accordingly.

RUKMINI DEVI ARUNDALE.

NEW DELHI;

The 7th March 1953.

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S. N. MUKERJEE, SECY.